RECENT IMPORTANT DECISIONS

ADMIRALTY—WORKMEN'S COMPENSATION—IS A HYDROPLANE A VESSEL?—Claimant was employed in the care and management of a hydroplane which was moored in navigable waters. The hydroplane began to drag anchor and drift toward the beach, where it was in danger of being wrecked. Claimant waded into the water and was struck by the propeller. *Held,* claimant is not entitled to compensation under the Workmen's Compensation Law, since a hydroplane while on navigable waters is a vessel, and therefore the jurisdiction of the admiralty excludes that of the State Industrial Commission. *Reinhardt* v. *Newport Flying Service Corp.* (N. Y., 1921), 133 N. E. 371.

The question to be determined was whether the claimant was injured by a *vessel,* for if he was the jurisdiction of the admiralty excludes the jurisdiction of the commission. *Knickerbocker Ice Co.* v. *Stewart,* 253 U. S. 149. The court, in the principal case, points out that the word vessel has been interpreted liberally and broadly, including any structure used, or capable of being used, for transportation upon the water; for example, a canal boat drawn by horses, *The Robt. W. Parsons,* 191 U. S. 17; a bath house upon floats, *The Public Bath,* 61 Fed. 692; or a log raft, *The Mary,* 123 Fed. 609. On the other hand, although admiralty has extended its jurisdiction in the past so as to meet the needs of commerce, it will not extend its jurisdiction so as to include the navigation of the air, and an airplane, as such, is not a subject of maritime jurisdiction. *The Crawford Bros. No. 2,* 215 Fed. 269. Since a hydroplane is capable of being used for transportation upon the water or through the air, the court concludes that it is a vessel subject to admiralty jurisdiction while "it is in the fulfilment of its function as a traveler through the water, and has put aside its functions and capacities as a traveler through the air."

APPEAL AND ERROR—CHARGE TO JURY—PROXIMATE CAUSE.—Action for damages for personal injuries to plaintiff while attempting to board defendant's car. The car was suddenly started, and plaintiff was injured by striking the rear of a truck parked with a space of 16 inches between the rear of the truck and the car. Defendant claimed that, as the conductor had no knowledge that the truck was parked in the street, he could not anticipate that this accident would probably happen by the sudden starting of the car before plaintiff was safely aboard, and so his act was not the proximate cause of the injury. *Held,* sufficient that he should reasonably have anticipated that some injury might probably result, but judgment for plaintiff reversed for error in instruction as to proximate cause. *Kausch* v. *Chicago & Milwaukee Electric Ry. Co.* (Wis.), 186 N. W. 257.

This is one of those cases that make the Jack Cades want to kill all the lawyers and that cause outcries against the courts as tribunals of injustice. The action began (1) in the civil court of Milwaukee County, verdict